

FILED 06 SEP 01 11:53 USC-ORF

UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF OREGON

JAMES MASSEY and LESLEE BANGS,

CV 05-921 PK

Petitioners,

ORDER

v.

WILLIAM KNOWLES et. al.,

Respondents,

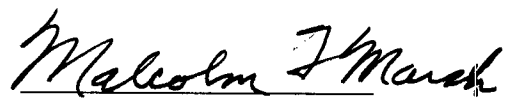
MARSH, J.

Magistrate Judge Papak filed his Findings and Recommendation in this case on July 19, 2006 (#56). The matter is now before me pursuant to 28 U.S.C. § 636(b)(1)(B) and Fed. R. Civ. P. 72(b). When either party objects to any portion of the Magistrate's Findings and Recommendation, the district court must make a *de novo* determination of that portion of the Magistrate's report. See 28 U.S.C. § 636(b)(1)(c); McDonnell Douglas Corp. v. Commodore Business Machines, Inc., 656 F.2d 1309, 1313 (9th Cir. 1981), cert. denied, 455 U.S. 920 (1982). Petitioner filed timely objections. Therefore, I have given the file of this case a *de novo* review.

I find no error. Accordingly, I ADOPT the Findings and Recommendation (#56) of Magistrate Judge Papak, GRANTING Respondent/ Garnishee, National Union Fire Insurance Company of Pittsburgh, PA's Motion for Summary Judgment (#34) and GRANTING Petitioners' Motion to Strike (#50).

IT IS SO ORDERED.

DATED this 1 day of ~~August~~ ^{Sept}, 2006.


Malcolm F. Marsh
United States District Judge